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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION *E-FILED - 6/15/06*

UNITED STATES OF AMERICA,)	No. CR 06-00208 RMW
)	
Plaintiff,)	STIPULATION AND
)	ORDER DOCUMENTING
v.)	<u>EXCLUSION OF TIME</u>
)	
ALLEN TAM,)	
)	
Defendant.)	

With the agreement of the defendant Allen Tam in open court on May 8, 2006, the Court enters this order (1) setting a hearing on July 17, 2006 at 9:00 a.m. and (2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from May 8, 2006 to July 17, 2006. The Court finds and holds as follows:

1. The defendant Allen Tam appeared before the Court on May 8, 2006. The Court signed a stipulated protective order regarding discovery in this matter. Counsel for the parties jointly requested a continuance until July 17, 2006 to allow counsel for the defendant time to review the voluminous discovery that would be produced. The Court finds that continuing the case until July 17, 2006 will give counsel an opportunity to accomplish this objective.

2. The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, granting the continuance until July 17, 2006 is necessary for

effective preparation of counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). Given these circumstances, the Court finds that the ends of justice served by excluding the period from May 8, 2006 to July 17, 2006 outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, the Court (1) sets a hearing for July 17, 2006 at 9:00 a.m. and (2) orders that the period from May 8, 2006 to July 17, 2006 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: _____

/S/
KYLE F. WALDINGER
Assistant United States Attorney

DATED: _____

/S/
JAMES H. MCMANIS
Attorney for the defendant Allen Tam

IT IS SO ORDERED.

DATED: 6/15/06

/S/ RONALD M. WHYTE
RONALD M. WHYTE
United States District Judge

Copies to be distributed to:

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